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Attorney for NELDA ASUNCION

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

|                               |   |                           |
|-------------------------------|---|---------------------------|
| THE UNITED STATES OF AMERICA, | ) | <b>No. CR-08-0477 DLJ</b> |
|                               | ) |                           |
| Plaintiff,                    | ) | STIPULATION AND           |
|                               | ) | ORDER FOR                 |
| vs.                           | ) | PERMISSION TO TRAVEL      |
|                               | ) | OUT OF NORTHERN DISTRICT  |
| NELDA ASUNCION,               | ) |                           |
|                               | ) |                           |
| Defendant.                    | ) |                           |

The Defendant NELDA ASUNCION, through her counsel, DEBORAH G. LEVINE and Assistant United States Attorney, DEBORAH R. DOUGLAS, do hereby stipulate that Defendant, Nelda Asuncion, be permitted to travel out of the Northern District to Solano County, where she and her husband have privileges to make purchases at the commissary and Navy exchange at Travis Air Force Base in Fairfield, California (Solano county)(primarily food and medicine) because Ernesto Asuncion (Nelda's husband) is retired from the United States Navy [E6 rank]. In addition, the current release order for Mrs. Asuncion requires that she seek and/or maintain employment. Mrs. Asuncion is sixty-five years old and now receives social security. Pre trial services officer Paul Mamaril requested that the employment condition be deleted as a condition of pre trial release for this reason.

The defendant is currently in compliance with the conditions of her pre-trial release. United States Pre-Trial Service Officer Paul Mamaril agrees to this modification of prior orders in order to allow Mrs. Asuncion to use the military commissary in Solano County without the need of court

orders. All other release conditions to remain unchanged except the employment condition which pre trial services requests be deleted.

For the forgoing reasons, the parties stipulate and agree that Nelda Asuncion be permitted to travel out of the Northern District of California to Solano County, California with prior pre trial services approval but without the need of further court order and that the condition which requires Nelda Asuncion to seek and/or maintain employment be deleted.

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IT IS SO STIPULATED:

Dated: April 7, 2009

/s/ Deborah R. Douglas

DEBORAH R. DOUGLAS

Assistant United States Attorney

Dated: April 7, 2009

/s/ Deborah G. Levine

DEBORAH G. LEVINE

Attorney for Nelda Asuncion


### ORDER

UPON STIPULATION OF THE PARTIES AND FOR GOOD CAUSE SHOWN, THE COURT HEREBY AUTHORIZES NELDA ASUNCION TO TRAVEL OUT OF THE NORTHERN DISTRICT OF CALIFORNIA TO SOLANO COUNTY WITH PRIOR APPROVAL OF PRE TRIAL SERVICES BUT WITHOUT THE NEED FOR ADDITIONAL COURT ORDER. IN ADDITION, THE CONDITION OF PRE TRIAL RELEASE WHICH REQUIRES THAT MRS. ASUNCION SEEK AND/OR MAINTAIN EMPLOYMENT IS HEREBY DELETED. THESE MODIFICATIONS OF CONDITIONS OF PRE TRIAL RELEASE ARE BEING ORDERED SO THAT NELDA ASUNCION CAN USE THE COMMISSARY PRIVILEGES SHE IS AFFORDED AS THE SPOUSE OF RETIRED MILITARY PERSONNEL WITHOUT FURTHER COURT

1 ORDER AND SO SHE IS NO LONGER REQUIRED TO SEEK EMPLOYMENT. ALL OTHER  
2 RELEASE CONDITIONS REMAIN UNCHANGED.

3  
4 IT IS SO ORDERED

5  
6 Dated: April 9, 2009

A handwritten signature in black ink, reading "Wayne D. Brazil". The signature is written in a cursive, flowing style. The first name "Wayne" is written with a large, prominent "W". The last name "Brazil" is written with a large, prominent "B".

WAYNE D. BRAZIL

UNITED STATES MAGISTRATE JUDGE